MINUTES

VILLAGE OF LAKE PARK COUNCIL MEETING 3801 LAKE PARK ROAD, LAKE PARK, NC PUBLIC HEARING: STORMWATER ORDINANCE – 7:00 P.M. JUNE 10, 2008

ATTENDING: Mayor Kendall Spence

Mayor Pro-Tem: Sandy Coughlin

Council Members: Greg Crosby, Virginia Currence,

Jo Waybright, Clint Newton

Finance Officer – Cheryl Bennett

Village Clerk/Tax Collector – Cheri Clark

Attorney Ken Swain

CALL TO ORDER: Mayor Kendall Spence called the Public Hearing for the proposed Stormwater Ordinance for the Village of Lake Park to order.

PLEDGE OF ALLEGIANCE: Mayor Kendall Spence led the Pledge of Allegiance to the Flag of the United States of America.

PRESENTATION OF STORMWATER ORDINANCE:

PUBLIC COMMENT:

Mr. Chris Mathisen presented the following letter for Council consideration.

The Honorable Kendall Spence Lake Park Village Council Village of Lake Park, NC

Mr. Mayor and members of the Village Council:

First, I want to thank each of you for your willingness to serve our community in what is a rewarding place of service but one that is sometimes thankless. Your leadership is so valuable in helping Lake Park be all that it can be.

Second, as you consider adopting a Stormwater ordinance, I want to urge you to also adopt a policy of administering the ordinance as well. So much of a small municipality's administration of policing ordinances must be contracted to others because of lacking the resources to hire staff.

I don't believe administering this ordinance in that manner is necessary for two reasons:

• First, many jurisdictions require applicants for such reviews and/or approvals to hire approved independent contractors at applicant expense. An example is wetlands determination and delineation. Even the state and federal governments have accepted consultant determinations for years. When we first

began Lake Park, we had a wetlands study for the entire 480 acres performed by a private engineering firm. It was the basis for the Army Corps of Engineers approval. Only this past month did we have another consultant study Lake Park today and verify that we had exceeded the requirements established 18 years ago. Some 11.24 acres of pond surface area actually exceed the minimum required by just over 9 acres.

• Second, we are so near the completion of Lake Park. The few applications for approval that remain can be considered by an independent engineering firm at developer expense. I believe administration by the County under contract will be unnecessarily time-consuming and at a cost that the Village need not expend.

Again, privatization at developer expense is common, especially with such issues as Stormwater, erosion control, inspections, etc. I urge you to adopt a policy whereby you administer your Stormwater ordinance through consultants at developer expense. Thank you for letting me address this issue.

Sincerely, Chris Mathisen

Per Council request, Mr. Mathisen will provide a copy of the Carolina Wetland Services' permitting compliance.

Ken Swain read an e-mail dated June 9, 2008 from Amy Helms

Cheri,

At this time, the County is not able to take on the role of reviewing proposed developments within Lake Park for Post-Construction requirements as part of your Phase II Permit. If you would like, we can assist or provide suggestions to Lake Park in searching for an engineering firm to contract this work out to. Review fees can be charged back to the developer.

The County is continuing its efforts with a Stormwater Ordinance to incorporate the State's Post-Construction regulations and additional requirements. The County's final version may contain stricter requirements than the State's. If the Stormwater Ordinance is adopted by the County, Lake Park may then be able to rely on the County for Post-Construction by adoption of the Union County Land Use Ordinance.

If you have any questions, please feel free to call me. Thank you,

Amy Helms

Assistant Director Infrastructure and Environment

The decision was made to explore entering into an inter-local agreement with Indian Trail to administer the VOLP Phase II Stormwater Ordinance.

ADJOURN: Sandy Coughlin made the motion to adjourn the Stormwater Public Hearing. Clint Newton seconded the motion. Vote – Unanimous.

PUBLIC HEARING - PROPOSED VOLP 2008-2009 FISCAL YEAR BUDGET.

CALL TO ORDER: Mayor Kendall Spence called the Public Hearing for the Proposed VOLP 2008-2009 Fiscal Year Budget meeting to order.

PRESENTATION OF VILLAGE OF LAKE PARK 2008-2009 FISCAL YEAR BUDGET.

PUBLIC COMMENT:

Bill Parker inquired as to the foundation for the Stormwater budget line item. Sandy Coughlin stated that the budgeted Stormwater expenses were our best estimate based upon information that had been received by the VOLP.

ADJOURN: Virginia Currence made the motion to adjourn the Proposed VOLP 2008-2009 Fiscal Year Budget public hearing. Jo Waybright seconded the motion. Vote – Unanimous

REGULAR SESSION

CALL TO ORDER: Mayor Kendall Spence called the Regular Session of the Village of Lake Park Council to order.

APPROVAL OF MINUTES: Sandy Coughlin made the motion to approve the May 2008 Regular Session minutes as presented. Greg Crosby seconded the motion. Vote – Unanimous.

PUBLIC COMMENT:

Doyle Waybright expressed his concern about the current state of Community Watch in the VOLP and the status of the National Night Out. Clint Newton addressed the status of National Night Out. Currently, the VOLP is waiting to hear if the Town of Indian Trail is going to co-host the event. The event would rotate locations back and forth between the two towns. Vendors must have a certificate of insurance and the VOLP has to be named as an additionally insured on the policy.

Phil Meeks with the LPTA wanted to know what constitutes an operable vehicle in a parking space on the street. There is a vehicle on Society Court that has not moved in over a year. Is this a violation of the Parking Ordinance? Officer Hannon shared that as long as the vehicle is in a legal parking space, there is nothing she can do. Jo Waybright asked if a letter could be sent from the Mayor requesting that the vehicle be moved.

CHANGES TO THE AGENDA: None

SECURITY: There were 61 calls in the VOLP during the month of May; eight traffic enforcements, five property damages reported, six calls for animal services and eleven general disturbance calls.

Virginia Currence reported that the some of the bricks at Founder's Park had been vandalized and would need to be repaired. There are quite a few teenagers hanging around at Founder's Park right at dusk each evening.

Mayor Kendall Spence shared that in the next 6 to 12 months the intersection at Faith Church and Indian Trail Unionville Road would be enhanced and a traffic signal installed.

FINANCE REPORT: Cheryl Bennett presented the financial statements for Council review. Revenues for May 2008 - \$56,725.81 and Expenses - \$81,872.62. Two line items are over budget – Pool Management \$1,960 and Pool Maintenance \$2200.

Jo Waybright made the motion to move \$5,000 from Capital Outlay to Pool Maintenance. Greg Crosby seconded the motion. Vote – Unanimous.

May Budget Performance

	May 08	Jul '07 - May 08	YTD Budget	% of Budget
General Fund				
Revenues				
Other revenues				
Approp. Fund Balance	0.00	0.00	33,017.00	0.0%
National Night Out	0.00	6,435.50	6,435.00	100.01%
Civil Penalties	0.00	50.00	500.00	10.0%
Investment revenue	0.00	27,405.10	25,000.00	109.62%
Miscellaneous	0.00	566.95	300.00	188.98%
Total Other revenues	0.00	34,457.55	65,252.00	52.81%
Other Taxes				
Cable franchise-from Time Warne	714.00	2,082.00	2,600.00	80.08%
Total Other Taxes	714.00	2,082.00	2,600.00	80.08%
Parks & Recreation Revenue				
Recreation Program Fees	160.00	308.00	250.00	123.2%
Community Center rental	260.00	2,330.00	2,600.00	89.62%
Gazebo rental	0.00	525.00	100.00	525.0%
Pool concession sales	0.00	876.62	600.00	146.1%
Pool rental	0.00	0.00	100.00	0.0%
Recreation daily swim fees	2,775.50	5,957.52	5,000.00	119.15%
Recreation season pass fees	32,918.00	36,669.00	45,000.00	81.49%
Total Parks & Recreation Revenue	36,113.50	46,666.14	53,650.00	86.98%
Property Taxes				
Ad valorem current year	3,676.86	461,450.03	455,434.00	101.32%
Ad valorem prior years	125.00	5,469.51	2,000.00	273.48%
Late fees (ad)	22.10	118.39	60.00	197.32%
Motor vehicle tax	3,937.97	54,470.67	55,976.00	97.31%

Penalties and interest	235.40	1,477.36	510.00	289.68%
Utility ad valorem	0.00	7,332.38	5,000.00	146.65%
Total Property Taxes	7,997.33	530,318.34	518,980.00	102.19%
State Shared Revenues				
Cable Rev. (from State)	0.00	10,715.01	15,400.00	69.58%
Sales and use tax	11,900.98	123,173.56	194,000.00	63.49%
Utility franchise	0.00	36,654.75	70,000.00	52.36%
Total State Shared Revenues	11,900.98	170,543.32	279,400.00	61.04%
Total Revenues	56,725.81	784,067.35	919,882.00	85.24%
Famouro	,	,	,	
Expense Capital Outlay				
Pond Landscape	0.00	0.00	15,741.00	0.0%
Carillon	0.00	10,965.07	12,000.00	91.38%
Capital Outlay Exp.	0.00	0.00	10,000.00	0.0%
Reserve for Capital Replacement	0.00	0.00	10,000.00	0.0%
Total Capital Outlay	0.00	10,965.07	47,741.00	22.97%
General Administrative Expenses				
Adm Assistant	144.00	438.00	800.00	54.75%
Clerk/Tax Collector	2,575.00	28,325.00	30,900.00	91.67%
Council	0.00	6,889.00	10,000.00	68.89%
Finance Officer	643.75	7,081.25	7,725.00	91.67%
Mayor	0.00	1,950.00	2,600.00	75.0%
Payroll Expenses	257.25	3,702.49	3,980.00	93.03%
Total General Administrative Expenses	3,620.00	48,385.74	56,005.00	86.4%
Maintenance of Common Areas				
Tennis Courts	0.00	13,136.00	13,136.00	100.0%
Landscaping	24,525.00	138,795.99	154,593.00	89.78%
Park maintenance	1,906.86	16,809.17	19,616.00	85.69%
Pond maintenance	300.00	3,208.72	3,709.00	86.51%
Street Signs	891.00	1,445.00	2,500.00	57.8%
Total Maintenance of Common Areas	27,622.86	173,394.88	193,554.00	89.59%
Operating Costs				
Advertising	0.00	0.00	300.00	0.0%
Association dues	0.00	2,631.00	2,700.00	97.44%
Bank charges	0.00	35.00	50.00	70.0%
Elections	0.00	0.00	3,000.00	0.0%
Insurance/bonds	0.00	9,501.40	10,000.00	95.01%
Miscellaneous oper. exp.	0.00	85.98	1,000.00	8.6%
Newsletter/website/flyers	100.00	2,112.74	3,000.00	70.43%
Office	67.96	1,311.70	2,300.00	57.03%
Postage Tax collection	1.14	179.77	350.00	51.36%
	0.00	779.25	1,030.00	75.66%
Telephone	246.96 0.00	2,475.58 170.00	2,900.00 870.00	85.37% 10.54%
Training Travel				19.54%
Total Operating Costs	0.00 416.06	<u>254.66</u> 19,537.08	500.00 28,000.00	50.93% 69.78%
Total Operating Costs	410.00	19,337.00	20,000.00	09.70%

Other Expenditures				
Economic Development	645.56	2,112.94	2,600.00	81.27%
Contingency	0.00	0.00	17,451.09	0.0%
Donation - Monroe FOP	0.00	250.00	250.00	100.0%
Total Donations	0.00	250.00	250.00	100.0%
Stormwater Fee	1,988.91	1,988.91	1,988.91	100.0%
Total Other Expenditures	2,634.47	4,351.85	22,290.00	19.52%
Parks & Recreation				
Pool Operations	0.00	1,286.60	1,286.00	100.05%
Comm. center maintenance	556.98	6,102.78	7,390.00	82.58%
Seasonal Decorations	0.00	11,553.50	12,000.00	96.28%
Natural Gas	70.62	878.16	1,000.00	87.82%
Pool maintenance	7,123.85	8,894.58	6,714.00	132.48%
Pool management fee	11,172.50	37,099.50	46,700.00	79.44%
Recreation programs	0.00	1,505.00	1,705.00	88.27%
Storage Rental	0.00	1,063.35	1,070.00	99.38%
Water/Sewer	78.14	2,288.79	4,000.00	57.22%
Total Parks & Recreation	19,002.09	70,672.26	81,865.00	86.33%
Professional Fees				
Accountant	0.00	4,100.00	4,200.00	97.62%
Legal Counsel	0.00	7,835.50	9,000.00	87.06%
Total Professional Fees	0.00	11,935.50	13,200.00	90.42%
Public Services/Safety				
National Night Out	0.00	4,325.09	6,435.00	67.21%
Community Watch	0.00	1,000.00	1,250.00	80.0%
Garbage collection	20,989.84	203,753.79	247,000.00	82.49%
Law enforcement	0.00	97,683.00	130,242.00	75.0%
Street Lights	7,587.30	75,984.49	92,300.00	82.32%
Total Public Services/Safety	28,577.14	382,746.37	477,227.00	80.2%
Total Expense	81,872.62	721,988.75	919,882.00	78.49%
Net General Fund	-25,146.81	62,078.60	0.00	100.0%
Powell Bill				
Powell Bill Income				
Fund Bal. from Powell Bill	0.00	0.00	89,020.00	0.0%
Interest - Powell Funds	0.00	2,740.95	2,200.00	124.59%
Powell Bill Revenue	0.00	103,721.93	103,722.00	100.0%
Total	0.00	106,462.88	194,942.00	54.61%
Powell Bill Expense				
Street Exp Powell Bill	6,425.00	83,179.50	194,942.00	42.67%
Total	6,425.00	83,179.50	194,942.00	42.67%
Net Powell Bill	-6,425.00	23,283.38	0.00	100.0%
Net excess of rev. over exp.	-31,571.81	85,361.98	0.00	100.0%

Village of Lake Park Budget Ordinance 2008-2009

BE IT ORDAINED by the Governing Board of the Village of Lake Park, North Carolina:

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the village government and its activities for the fiscal year beginning July 1, 2008, and ending June 30, 2009, in accordance with the chart of accounts heretofore established for this Village:

\$ 73,055
20,000
208,500
30,100
34,500
85,993
16,700
494,500
100,500
\$1,063,848

Section 2: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2007, and ending June 30, 2008:

Property Tax Income	\$ 541,336
State Shared Revenues	280,000
Parks & Recreation Revenue	60,400
Other Taxes	2,800
Appropriated Fund Balance	52,122
Other Revenues	26,690
Powell Bill	100,500
Total	\$ 1,063,848

Section 3: There is hereby levied a tax at the rate of twenty-one cents (\$.21) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2008.

This rate is based on a total valuation of real and personal property for the purposes of taxation of \$232,159,590 and an estimated rate of collection of 98%, and a valuation of \$26,402,736 for motor vehicles, and an estimated collection rate of 92%.

Section 4: The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

a. She may transfer amounts between line item expenditures, or from

- Contingency, up to a dollar amount of \$1,000.
- b. An official report on all transfers should be made to Council at the next scheduled meeting.
- c. Transfers should not be made to salary accounts.

Section 5: Copies of this Budget Ordinance shall be furnished to the Clerk of the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their direction in the disbursement of funds.

Attest:	
Cheri Clark, Village Clerk	
	Kendall Spence, Mayor

Adopted this 10th day of June 2008.

Sandy Coughlin made a motion to adopt the 2008-2009 budget as presented. Virginia Currence seconded the motion. Vote – Unanimous.

TAX OFFICER'S REPORT: Cheri Clark stated that delinquent taxes collection is continuing. We have less than 30 properties that are delinquent for 2007.

PUBLIC SERVICES (Waste Collection & Electric):

Sandy Coughlin stated that Waste Collection should come in about \$1,200 under budget.

Clint Newton presented a report on the electric usage in the VOLP for Council review. He has been working with Joel Taylor, Union Electric concerning old wiring issues around Veterans Pond. Union Electric is requesting approval to dig and install new wiring. Cheryl Bennett suggested that we divide Street Lighting into three separate line items: Street Lighting, Pool Lighting and Common Areas.

COMMUNICATION: Greg Crosby asked that all articles for the next Villager be submitted by June 28th. Changes to the website are complete including pictures of the current Council members.

PARK AND RECREATION: Virginia Currence expressed Parks and Recreation's frustration with the vandalism at the Founders Park and the Gazebo that occurred this month. The VOLP has quite a few dead trees, especially the Leland Cypresses. The hollies that were damaged in Veterans Park are sprouting. It will take a couple of years for them to be back to normal. The walking trail around Veterans Park has received a new layer of gravel - \$350.00. The VOLP has received a letter from Lucas Landscaping concerning a 2% fuel surcharge. If we agree to pay the surcharge, our contract will increase about \$3,000.

Ken Swain advised that if Council agreed to the surcharge, that we attach an agreed upon time frame i.e. one year or the remainder of the current contract year. Virginia Currence will draw up the letter to be attached to the June payment.

Jo Waybright shared that the number of Pool Memberships is 205 and revenues generated by the pool are currently at \$47,000. The Fourth of July is planned and Parks and Rec is still in need of volunteers.

Clint Newton should hear from Indian Trail in reference to National Night Out this week. Banners will be ordered this week but we are planning to hold off on ordering t-shirts.

STORMWATER: Sandy Coughlin made the motion to approve the Stormwater Ordinance as presented. Clint Newton seconded the motion. Vote – Unanimous.

STREET BUSINESS: Mayor Kendall Spence is in the processing of checking with DOT to determine when resurfacing along Faith Church Road will occur and to determine if the VOLP can remark the parking spaces along Faith Church Road. For three hundred dollars, we can mark parking spaces along Russell Park on both sides of Creft, which should help with the seasonal parking. Jo Waybright made the motion to approve up to \$900 for marking the parking spaces along Faith Church Road and Creft Circle along both sides of Russell Park. Clint Newton seconded the motion. Vote – Unanimous.

Due to the lack of response from McCollum & Associates Paving, LLC, Mayor Kendall Spence has requested additional quotes from Boggs Paving and Gelder Thompson for next phase of street resurfacing. Based upon the quotes, Mayor Spence recommended that we use Boggs Paving to address the next phase of resurfacing. Virginia Currence made the motion to proceed with Boggs Paving once the certificate of insurance was received, performance bond question answered and notification of residents was added to the contract. Jo Waybright seconded the motion. Vote – Unanimous.

were increasing their recognition thorough the website, and the benefits of relocating the Town Center signage on Indian Trail Unionville Road since the property has been sold. The Council should encourage and support local business usage. The cost to move the sign - \$487.00. Sandy Coughlin made the motion to relocate the sign into position A at the main entrance slightly behind the brick pillar on Village of Lake Park Common Property on the Lake Park Road side. Clint Newton seconded the motion. Under discussion, Council expressed concerns about the aesthetics, maintenance, effectiveness, and number of retail businesses and placement of the sign to be re-located. The vote was two to three, with the motion failing to pass.

Sandy Coughlin shared that so far over 20% of the surveys have been returned -267. Currently the plan is to have the information available in August 2008.

Ken Swain presented a letter for Council consideration concerning the funding for him to attend the North Carolina Association of Municipal Attorneys Conference. The expenses would be split between the Village of Lake Park and the Town of Hemby Bridge approximately \$585.00 per municipality. Virginia Currence made the motion to send Ken Swain to the Municipal Attorneys Conference. Greg Crosby seconded the motion. Vote – Unanimous.

SET AGENDA FOR JULY 8, 2008: No changes.

COUNCIL COMMENTS:

Clint Newton requested volunteer for National Night Out.

Greg Crosby expressed how much he appreciated Council's willingness to work with the 2008-2009 Budget to remain revenue neutral with all of economic demands placed on the Village.

Sandy Coughlin expressed her disappointment in the failure to approve the signage relocation and her concerns about the negative message Council was sending to businesses located in the Village of Lake Park.

Mayor Kendall Spence thanked Parks and Recreation for all of their hard work and continued dedication to the Village of Lake Park.

ADJOURN: Sandy Coughlin made a motion to adjourn the meeting. Greg Crosby seconded the motion. Vote – Unanimous.

	Respectfully submitted,
Mayor Kendall Spence	
	Village Clerk, Cheri Clark